



**BY EMAIL and RESS**

**Jay Shepherd**  
jay@shepherdrubenstein.com  
Direct: 416-804-2767

November 2, 2017  
Our File No. HV-2015-0001

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

**Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

**Re: EB-2015-0094 – Oakville Hydro – HVAC Cost Claim**

We are counsel for the HVAC Coalition. We enclose the cost claim of the HVAC Coalition, on the Board's form and enclosing docket details.

We note that Jay Shepherd took carriage of this matter, which was a followup to the settlement agreement in EB-2013-0159. The work involved detailed review and analysis of a study by Grant Thornton on cost allocation with affiliates (including various drafts of the study as it was being developed), and submissions related to that study. All time has been listed as related to Argument, as there were no other process steps in the proceeding related to this issue.

All of which is respectfully submitted.

Yours very truly,  
**JAY SHEPHERD P. C.**

A handwritten signature in blue ink, appearing to read "Jay Shepherd", is written over a light blue circular stamp.

Jay Shepherd

cc: Martin Luymes, HVAC (email)  
Interested Parties

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required (yellow-shaded) fields are filled in and the Affidavit portion is signed and sworn or affirmed.

**Instructions**

- Required data input is indicated by yellow-shaded fields. Formulas are embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.

Rate: \_\_\_\_\_ Country: \_\_\_\_\_

- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each lawyer, analyst/consultant and articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

**Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.**

<b>File # EB-</b>	<b>2015-0094</b>	<b>Process:</b>	<b>Oakville Hydro</b>
<b>Party:</b>	<b>HVAC Coalition</b>	<b>Affiant's Name:</b>	<b>Jay Shepherd</b>
<b>HST Number:</b>	<b>83673-5464-RT0001</b>	<b>HST Rate Ontario:</b>	<b>13.00%</b>
	Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit	<input type="checkbox"/>
	Unregistered <input type="checkbox"/>	Tax Exempt	<input type="checkbox"/>
	Other <input type="checkbox"/>		

**Affidavit**

I, **Jay Shepherd**, of the City/Town of **Toronto**  
in the Province/State of **Ontario**, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

**Signature of Affiant**

**Sworn or affirmed before me** at the City/Town of **Toronto**,  
in the Province/State of **Ontario**, on **November 2, 2017**.  
(date)

**Commissioner for taking Affidavits**

**Ontario Energy Board**  
**COST CLAIM FOR HEARINGS**



**Affidavit and Summary of Fees and Disbursements**

File # EB- 2015-0094 Process: Oakville Hydro

Party: HVAC Coalition

**Summary of Fees and Disbursements Being Claimed**

Legal/consultant/other fees	\$	8,250.00
Disbursements	\$	-
HST	\$	1,072.50
<b>Total Cost Claim</b>	<b>\$</b>	<b>9,322.50</b>

**Payment Information**

Make cheque payable to: Shepherd Rubenstein Professional Corporation, in tr

Send payment to this address: 2200 Yonge Street

Suite 1302

Toronto, Ontario

M4S2C6

# Ontario Energy Board COST CLAIM FOR HEARINGS



## Detail of Fees and Disbursements Being Claimed

<b>File # EB-</b> <u>2015-0094</u>	<b>Process:</b> <u>Oakville Hydro</u>
<b>Party:</b> <u>HVAC Coalition</u>	<b>Service Provider Name:</b> <u>Jay Shepherd</u>
<b>SERVICE PROVIDER TYPE</b> (check one)	<b>Year Called to Bar</b>
<b>Legal Counsel</b> <input checked="" type="checkbox"/> <b>Articling Student/Paralegal</b> <input type="checkbox"/> <b>Consultant</b> <input type="checkbox"/> <b>Analyst</b> <input type="checkbox"/>	<b>1980</b>
	<b>Completed Years Practising/Years of Relevant Experience</b> <b>37</b>
	<b>Hourly Rate:</b> <b>\$330</b>
For Consultant/Analyst: <input type="checkbox"/> CV attached	<b>HST Rate Charged (enter %):</b> <b>13.0%</b>
<input type="checkbox"/> CV provided within previous 24 months	

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
<b>Pre-hearing Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Technical Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Interrogatories</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Responses		\$ 330.00	\$ -	\$ -	\$ -
<b>Issues Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>ADR - Settlement Conference</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
<b>Argument</b>					
Preparation	25.0	\$ 330.00	\$ 8,250.00	\$ 1,072.50	\$ 9,322.50
<b>Oral Hearing</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Other Conferences</b>					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
<b>Case Management</b>		\$ 170.00	\$ -	\$ -	\$ -
<b>TOTAL SERVICE PROVIDER FEES</b>			\$ 8,250.00	\$ 1,072.50	\$ 9,322.50

**Ontario Energy Board  
COST CLAIM FOR HEARINGS**



**Detail of Fees and Disbursements Being Claimed**

File # EB- 2015-0094

Process: Oakville Hydro

Party: HVAC Coalition

Service Provider Name: Jay Shepherd

Statement of Disbursements Being Claimed				
		Net Cost	HST	Total
Scanning/Photocopy				\$ -
Printing			\$ -	\$ -
Courier				\$ -
Telephone/Fax				\$ -
Transcripts				\$ -
Travel: Air				\$ -
Travel: Car				\$ -
Travel: Rail				\$ -
Travel (Other):				\$ -
Parking				\$ -
Taxi				\$ -
Accommodation				\$ -
Meals				\$ -
Other:				\$ -
Other:				\$ -
Other:				\$ -
<b>TOTAL DISBURSEMENTS:</b>		\$ -	\$ -	\$ -

Date	Explanation	Lwyr	Hours
20150901	Many emails, Review material	JCS	0.3
20150903	Letter to Board, Many emails	JCS	0.7
20150916	Review letter	JCS	0.1
20150917	Various emails	JCS	0.1
20150930	Meeting with Jamie Sidlofsky, Report to client, Many emails, Review letter	JCS	1.4
20151006	Many emails	JCS	0.3
20151009	Many emails, Review letter	JCS	0.3
20151013	Many emails, Telephone call with Martin Luymes	JCS	0.9
20151014	Many emails	JCS	0.2
20151023	Meeting with Jamie Sidlofsky	JCS	0.2
20151026	Review utility letter	JCS	0.2
20151027	Draft Revise and file letter, Many emails	JCS	0.9
20151029	Review materials from client	JCS	0.3
20151109	Draft, finalize and file letter, Many emails	JCS	0.8
20151124	Review Grant Thornton study, Various emails	JCS	1.5
20151125	Complete review of study. Email Martin Luymes	JCS	1.6
20151126	Draft letter, Report to Client	JCS	1.1
20151203	Review Martin Luymes' material, Many emails	JCS	1.4
20151206	Email from Roger, Prep.	JCS	0.3
20151207	Conference call meeting, Draft letter and questions, Many emails	JCS	2.8
20151208	Prepare NOI, Letter to counsel, Many emails, Telephone call with Martin Luymes	JCS	2.1
20151216	Review Board letter, Many emails	JCS	0.3
20151217	Draft submissions, many emails	JCS	1.8
20151221	Revise and file submissions, Telephone call with Martin Luymes, Many emails, Review EP and staff submissions	JCS	1.3
20151222	Many emails	JCS	0.4
20151223	Review responses from Oakville, Grant Thornton, Many emails	JCS	1.0
20160105	Review Reply	JCS	0.5
20160111	Various emails	JCS	0.1
20160115	Review decision, Reporting	JCS	0.3
20160121	Telephone call with Martin Luymes	JCS	0.3
20160122	Review interim order, Various emails	JCS	0.3
20160203	Various emails	JCS	0.1
20160226	Review filing	JCS	0.2
20160822	Review Board file, Telephone call with Ted A., Many emails, Report to client	JCS	0.4
20160823	Review application, Prepare and file Notice of Intervention	JCS	0.5
			25.0